

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHELLE CHICCO,

1:20-cv-10593 (DLC)

Plaintiff,

JUDGMENT

-against-

FIRST UNUM LIFE INSURANCE CO.,

Defendant.
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WHEREAS, the above-captioned action having come before the Honorable Denise Cote for a bench trial on a stipulated record, and the Court, on March 3, 2022, having rendered its Memorandum Opinion (ECF No. 46) determining that “Chicco has been disabled within the meaning of the Plan since December 17, 2018, and granting reconsideration on March 30, 2022 (ECF No. 55), clarifying that the Court’s “finding of Chicco’s disability does not extend beyond August 31, 2020”;

WHEREAS, the above-captioned action was referred to the Court-annexed Mediation Program by this Court’s Mediation Referral Order dated March 10, 2022 (ECF No. 49) for the purpose of mediating damages, interest, attorneys’ fees, and costs;

WHEREAS, the parties participated in Court-annexed Mediation on April 19, 2022;

WHEREAS, the parties privately settled and fully and finally resolved all issues pertaining to damages, interest, attorney’s fees, and costs during the Court-annexed Mediation held on April 19, 2022 (ECF No. 63); it is hereby

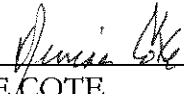
ORDERED, ADJUDGED, AND DECREED that for the reasons stated in the Court’s Memorandum Opinions, judgment is hereby entered in favor of plaintiff in the amount of \$174,638.34, which represents the monthly benefits owed for the period from December 17, 2018 through August 31, 2020; it is further

ORDERED, ADJUDGED, AND DECREED that plaintiff's claim for LTD benefits beyond August 31, 2020 shall be remanded to Defendant to determine whether plaintiff is entitled to benefits beyond August 31, 2020; plaintiff's Proof of Claim for benefits beyond August 31, 2020 will be due on August 23, 2022; it is further

ORDERED, ADJUDGED, AND DECREED that Defendant shall remit payment of attorney's fees, costs and interest to plaintiff's counsel of record in accordance with the parties' full and final settlement dated April 19, 2022.

ORDERED, ADJUDGED, AND DECREED that the above-captioned action is discontinued without costs to any party and with prejudice (*see* ECF No. 63).

Dated: New York, New York
June 27, 2022



DENISE COTE
UNITED STATES DISTRICT JUDGE